

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

CLARENCE V. KNIGHT,  
Plaintiff,  
v.  
R. ST. ANDRE, et al.,  
Defendants.

No. 2:23-cv-00177-DAD-SCR (PC)

ORDER ADOPTING FINDINGS AND  
RECOMMENDATIONS AND DENYING  
DEFENDANT'S MOTION TO REVOKE  
PLAINTIFF'S *IN FORMA PAUPERIS*  
STATUS

(Doc. Nos. 30, 35)

Plaintiff, a state prisoner proceeding *pro se* and *in forma pauperis*, filed this civil rights action seeking relief under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On July 1, 2025, the magistrate judge issued findings and recommendations recommending that defendant Watkins's motion to revoke plaintiff's *in forma pauperis* status (Doc. No. 30) be denied. (Doc. No. 35.) Specifically, the magistrate judge reviewed the prior cases brought by plaintiff which had been dismissed and upon which defendant Watkins relied in bringing the motion to revoke *in forma pauperis* status and concluded that the defendant had not met his burden of demonstrating that plaintiff had filed three or more prior civil actions that constitute "strikes" under 28 U.S.C. § 1915(g). (*Id.* at 3–7.)

The pending findings and recommendations were served on the parties and contained notice that any objections thereto were to be filed within twenty-one (21) days after service. (*Id.*

1 at 8.) To date, no objections to the findings and recommendations have been filed, and the time  
2 in which to do so has now passed.

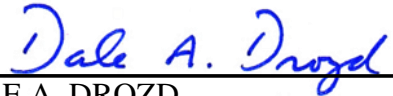
3 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), this court has conducted a  
4 *de novo* review of the case. Having carefully reviewed the entire file, the court concludes that the  
5 findings and recommendations are supported by the record and by proper analysis.

6 Accordingly:

- 7 1. The findings and recommendations (Doc. No. 35) are ADOPTED in full;  
8 2. Defendant's motion to revoke plaintiff's *in forma pauperis* status (Doc. No. 30) is  
9 DENIED;  
10 3. Defendant Watkins shall file a response to plaintiff's second amended complaint  
11 within 30 days from the date of this order; and  
12 4. This action is referred back to the assigned magistrate judge for further proceedings.

13 IT IS SO ORDERED.

14 Dated: August 16, 2025

15   
16 DALE A. DROZD  
17 UNITED STATES DISTRICT JUDGE  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28